

USDA State Technical Committee Meeting  
USDA State Office Conference Room  
Bangor, Maine  
June 26, 2014

Meeting Minutes

**Attendees:** *(See attached participant list)*

**Opening**

Cathee Pullman, NRCS Acting State Conservationist, opened the meeting and welcomed participants. She announced to the group that State Conservationist Juan Hernandez is on detail in Washington, DC for approximately 120 days.

Cathee asked the group to introduce themselves including the attendees that joined us via Video Teleconference from the Lewiston Field Office.

**Review of State Technical Committee – Chris Jones, NRCS, ASTC for Special Projects**

Chris reviewed the function of the State Technical Committee (STTC), which is to advise USDA on conservation programs (Natural Resources Conservation Service (NRCS) and Farm Service Agency (FSA)). The Maine State Technical Committee website is located at <http://www.nrcs.usda.gov/wps/portal/nrcs/main/me/technical/stc/>. This site contains all the information and documents regarding the State Technical Committee. There are various forms and documents for potential new members, listings of all STTC members, prior meeting minutes, and handouts presented at the meetings. Chris encouraged the group to outreach to other groups and individuals who are interested in natural resource concerns in Maine and encourage them to fill out an application to become a member of the State Technical Committee.

**Chris Jones asked the members to review the membership of the STTC, which can be found at the above mentioned website. Please let Chris know if you want the individuals that are listed for your group removed or if you want individuals added to your group.**

Chris also asked the group if they had any agenda items they would like added to the next STTC meeting to forward them to him as soon as possible by email at [chris.jones@me.usda.gov](mailto:chris.jones@me.usda.gov).

He mentioned that on November 27, 2013, Maine NRCS issued a bulletin to announce the release of a revised NRCS Cultural Resources Review Worksheet (ME-CR-1). This digital worksheet is an integral part of the Historic Preservation Reviews directed by Dr. Gary Shaffer, NRCS Cultural Resources Specialist. These worksheets need to be completed by all field offices for Gary's review of proposed NRCS assistance projects and to comply with Section 106 of the National Historic Preservation Act. The revised worksheet includes updated terms and features, such as electronic drop-down lists to streamline reviews of impacts on significant archaeological and architectural properties. You may contact Gary Shaffer at [gary.shaffer@me.usda.gov](mailto:gary.shaffer@me.usda.gov) or phone 207-990-9566 for copies of the worksheet. For all NRCS employees, they may find this worksheet in the electronic Field Office Technical Guide under Section II.

**Program Summary for FY2014 – Susan Arrants, ASTC for Programs**

Susan explained that the new Farm Bill was passed in February 2013, but we are still delivering NRCS programs that we are authorized to deliver under the 2008 Farm Bill Rules. NRCS has been given the

authority to continue delivering programs as we have done in the past due to the new Farm Bill Rules not being developed at this time.

**The following is an update on our funding of programs:**

**Environmental Quality Incentive Program (EQIP)**

In Fiscal Year 2014 we had a total EQIP Financial Assistance (FA) allocation of 10.3 million dollars. We had some statewide set aside for this year of \$350,000 for the On-Farm Energy Initiative and the Organic Initiative. Even though we did not receive dedicated funds for these National initiatives, we were required by National Headquarters to deliver them. State Conservationist Juan Hernandez decided our initial target for the On-Farm Energy Initiative would be \$150,000; the Organic Initiative's initial target of \$200,000 is divided between Transition to Organic and Certified Organic. Currently, we are in the process of obligating contracts. Due to adjustments in finalizing plans, we will actually have around \$174,000 going towards Energy. The Organic Initiative is currently at \$212,000 instead of the \$200,000, so we had some increased costs there as well.

For 2014, the National Office has allocated Maine NRCS \$332,000 for the National Water Quality Initiative (NWQI). The NWQI involved Nickerson Lake in the Houlton area and Unity Pond in Waldo County. At this time, the NWQI has a total of 11 applications for the watersheds around the Unity Pond for approximately \$130,000. The Nickerson Lake Watershed has 7 applications for a total of \$185,000.

We have a total set aside of \$500,000 for the Conservation Activity Plans (CAPs), and ended up funding all of the eligible 198 applications for \$430,000. The CAPs include: Forest Management, Comprehensive Nutrient Management, Pollinator, and Fish and Wildlife.

Forestry Management Plan – Maine set aside \$1 million and now we are at \$922,000. Once the previously preapproved applications are obligated, we can take the surplus of the funds left over and go further down the list of the other eligible applications.

Irrigation – Maine set aside \$1 million at this time, and we are at \$1,035,000 now.

High Tunnels – Maine set aside \$500,000 and currently have preapproved applications and obligations totaling \$485,000.

NRCS has a total of 462 applications under EQIP that are either preapproved or approved for 8.3 million dollars and a total obligated of \$700,000. We have \$200,000 set aside for Conservation Innovation Grant (CIG), which is being finalized now. We set aside approximately one percent for reserve, and later in the year there might be adjustments made so we would have the funding available.

**Question** – Is there a backlog of the High Tunnel applications?

**Answer** – Yes

**Question** – At what point will you be collecting all surplus dollars?

**Answer** – We have July 18 as an obligation deadline date for previously preapproved applications.

Susan also mentioned that all new preapproved applications that NRCS receives will be obligated by August 1, 2014.

**Question** – Were any of the applications received for Forestry?

**Answer** – When NRCS receives applications, they do not indicate what type of initiative is targeted. Susan stated that she would inform the group when she had more information.

#### **Agricultural Management Assistance Program (AMA)**

We had allocations in the amount of \$471,000. Currently we have dedicated the funds to Irrigation. AMA comes to us under a different title this year which is under risk management. AMA dollars are more flexible compared to EQIP dollars. NRCS targeted the limited funds we received from AMA to Irrigation this year. We split what little funding we received between Micro Irrigation Systems and Sprinkler Irrigation Systems.

This year we had 12 pre-approved and approved applications totaling \$323,000.

#### **Wildlife Habitat Incentives Program (WHIP)**

WHIP was not reauthorized in the 2014 Farm Bill. Before the Farm Bill was signed we were able to obligate 7 contracts under WHIP for Fish Passage totaling \$295,000.

After the Farm Bill was signed in February, we were no longer authorized to deliver that program. All WHIP applications ended up being migrated to the EQIP program and will be considered wildlife projects under EQIP. NRCS has not received any dedicated dollars to address the WHIP applications.

Under the Working Lands for Wildlife Program, NRCS will be holding a two-week signup for the New England Cottontail Initiative for \$150,000 - \$200,000 in the Cumberland and York Counties area.

Susan spoke about some of the reviews NRCS does with our WHIP applications, which are now transferred under EQIP to see if the applications are still eligible. The applicants have to be considered an agriculture producer, and under the WHIP program they are not.

Those that were considered for the WHIP forestland applications will now have to develop a Forest Management Plan before they are considered eligible under the EQIP program.

#### **Review Easement Ranking – Fact Sheet (see attached ACEP document) – Susan Arrants**

Under the new Farm Bill, the Farm and Ranchland Protection Program, Wetland Reserve Program and the Grassland Reserve Program have been de-authorized and are no longer authorized under the new Farm Bill. These programs all become components under the new program called Agricultural Conservation Easement Program (ACEP).

There are two separate components under this new ACEP program, which include the Wetland Reserve Easement (WRE) Application and the Agricultural Land Easements (ALE).

We had a signup under the WRE, and received no applications, but did receive three interested parties that may be applying next year.

The ALE received five parcel offerings that are being submitted totaling 658 acres and an estimated total purchase price of \$2,034,000, for which NRCS funding totaled \$1,017,000.

We submitted both proposals to National Headquarters and have not heard a response at this time on what amount we actually will receive. If we do not receive enough money to fund 50% of all of them, there will be a priority ranking set for all applicants.

Regarding ALE, NRCS's role is not as the primary contact, but support and monitoring the easements. NRCS has an agreement with the Easement holders, not the producers. The WRE easements are the same as the WRP, and NRCS will be fully involved.

**Question:** If a producer violates their ALE, does he put their other USDA benefits at risk?

**Answer:** Producers are required to comply with whoever is holding the easement. NRCS has the agreement with the Easement holder, not the producer. The producer would not put their other USDA benefits at risk if they did not comply.

**Question:** Is there still a Healthy Forest Reserve Program?

**Answer:** There is a separate component under the ACEP, but have not received any details about how we are going to deliver it. It is still going to be an Easement, but there has not been any funding allocated.

There was a question whether an ag producer qualifies under WHIP. Susan stated that the definition of an ag producer is fairly broad--they can manage their land for forestry, but they are considered a producer. If they do not have forestland, they have to meet some other criteria under another ag commodity.

Adjusted Gross Income (AGI) has changed to \$900,000 over the three years, but the change includes all incomes. In previous years, the AGI was based on non-farm income. Now it is going to be based on all incomes.

For 2014 only, every program we deliver except for AMA, the applicants are exempt from the AGI compliance.

**Question** – The final language was “5% needs to be dedicated to WHIP programs”.

**Answer** – Yes that is true. There is going to be a requirement from our National Office that 5% of the EQIP allocations are for wildlife. The National Office told us that this is not going to be the same for every state. They have dedicated 5% of their funding for a wildlife pool. They will determine which practices are beneficial for wildlife and will be contracted, and as a result NRCS will meet our 5%.

An amount of \$450,000 for EQIP payment limitation is back during 2014 through 2018. It will not include payments that the participant receives from prior year contracts. There will be no waivers that can be requested to increase this. Under the 2008 Farm Bill the payment limitation was \$300,000.

Organic Payment Limitation remained under the new Farm Bill at \$20,000 a year for a total of \$80,000 for the life of the contract. Susan stressed to the group that NRCS has not received the Final Rules on this and is hoping in 2015 it will become much clearer.

AMA, EQIP and Conservation Stewardship Program were all re-authorized under the Farm Bill, so we will continue to deliver those.

### **Conservation Stewardship Program (CSP) – Buster Carter, Resource Conservationist**

This program was continued through the Agricultural Act 2014. The new Farm Bill increased the programs focus on generating different conservation benefits. It removed the limitation on a number of non-industrial project forestland in acres to be enrolled in the program, where before it was around 10% of the acres. It includes the flexibility to enroll land coming out of the Conservation Reserve Program. The CSP is different from our other financial assistance programs as it helps agricultural producers maintain and improve their existing conservation systems. Payments are based on performance. Through

CSP, the participants need to take additional steps to improve the resource conditions of their operational lands which would include soil, habitat quality, water quality, water quantity and energy conservation enhancements through this stewardship program.

There are two types of payments that are involved in the five year contracts: (1) annual payments for installing the new conservation activities and practices and for maintaining the existing practices, and (2) supplemental payment for adopting the resource conservation crop rotation.

There is an opportunity that was announced in a news release for the 2010 contract holders to renew their expiring CSP contracts. . They will have to agree to achieve additional conservation activities under the new contract. Payments for this CSP will be made as soon as possible after October 1 of each year.

There is information on this program located on our Maine NRCS website at <http://www.nrcs.usda.gov/wps/portal/nrcs/main/me/programs/financial/csp/> .

### **Program Delivery for FY2015 – Susan Arrants (see attached AERT documents (11))**

Susan discussed the Ranking Tools for 2015 Maine AMA Micro Irrigation and AMA Sprinkler Irrigation handouts. She reminded the group there was a lot of previous discussions on these two ranking tools, so she suggested they review the digital copies that Chris Jones emailed to all the STTC members (June 25, 2014) and send their comments to [susan.arrants@me.usda.gov](mailto:susan.arrants@me.usda.gov) by end of July. NRCS will send these revised ranking sheets out to our field offices by October 1, 2014.

**COMMENT:** Suggestions were made by the STTC group to insert other categories to capture specifics of techniques and how to apply points to them.

**COMMENT:** Broaden scope of categories.

Susan went over the EQIP Ranking Tool documents next and uses the “*Maine Local Animal Waste*” as an example of the local fund pool EQIP ranking tools that would be used in 2015. NRCS developed the “*State*” section at the State Office for all local fund pool ranking tools and the District Conservationists are responsible for developing the “*Local*” questions based on information and recommendations they receive from their Local Working Groups. **NOTE:** 2015 Forestry, does not say “*Local*”, but it is actually going to be a Local Pool in 2015

Susan explained that for the State and Local sections for ranking tools use to rank applications in Statewide fund pools are developed at the State Office level. She asked the STTC members to review the ranking tools that Chris Jones e-mailed to all members. She reminded the members that only the sections labeled “*State*” or “*Local*” can be edited or deleted, but that the “*National*” questions cannot be changed or edited, however comments on which “*National*” questions should be labeled as not pertinent are welcome.

**Question** – Regarding the “*Local*” Animal Waste Ranking Tool, does the group assume the Local Working Group has already met and developed their questions, so can the STTC can go ahead and make comments on these?

**Answer** – NRCS asked the District Conservationists for 2014 when they have their Local Work Group meetings, we wanted them to discuss not only their priorities and recommendations for 2014 but also for 2015 so we could get a year ahead. Starting this winter in 2015, they will be discussing with their Local Work Group their recommendations and priorities for 2016. This will help get that year ahead so NRCS can get their ranking tools out early in the fiscal year.

**See attached documents for the 2015 EQIP EQIP Set-Aside Fund Pool Information as well as the Proposed Program Delivery Timeline for 2015.**

There will be an announcement regarding the application cutoff deadlines, including the extension of the EQIP Local Pool deadline from July 1, 2014 to August 15, 2014 for EQIP and AMA.

In addition to the EQIP, NWQI and Conservation Innovation Grants delivery timelines, CSP delivery for 2015 is also dependent on National Office decisions. Therefore, applications can be taken at any time, but we currently do not have application cutoff deadlines for 2015 funding.

Susan spoke about the 2014 Farm Bill, which has a new historically underserved category for Veterans. In 2014, we inquired if our customers were Veterans or not, but being a Veteran alone did not provide them with a higher payment rate. The definition for NRCS is that they have to be a Veteran but also a Beginning Farmer to receive a higher payment rate. NRCS is not sure if in 2015 we will consider Veterans on their own without having to be a beginning farmer.

NRCS sent out letters to our beginning farmers applicants to see if they also considered themselves to be Veterans. There were only a few in the State that were in a lower priority application, but those people ended up not being Veterans.

**Question:** Wanted clarification that August 15 is the universal cutoff date, but before the producer knows that their contract is eligible to go forward with their practice, it will not be approved until the end of March. The CAPs will be April 10?

**Answer:** No, NRCS will have the obligations for their contracts and should be done for CAPs by end of March. There are still opportunities if someone wants to apply for 2015, after October 1 if they have made their application, they can ask for a Waiver to commence their practices. That Waiver is only good until the end of that fiscal year (from October 1 to end of September), and if they commence that practice and for some reason they do not get a contract, they will be no financial assistance from NRCS. They do have that opportunity to ask for that Waiver. This Waiver is for any FA funded practice or activity **except** for TSP activity.

**Question:** If you have a contract for an Energy audit in place and need to amend that plan without any NRCS funds involved, what is the due date of the amended plan?

**Answer:** If you get the plan to NRCS by January 2, (*7 days prior*), then we would be able to rank that application, otherwise it would have to be deferred.

**Question:** If you are interested in the energy implementation in FY15, you have until August 15, 2014 to sign up. Do you have until January 2 to make sure that the field office receives a copy of your current energy audit that meets the requirements?

**Answer:** Yes, you can sign up before you have your audit. When you submit it by January 2, it has to be current and meet the required standards.

**Question:** If the CAPS Forestry Management Plans will be done by Technical Service Providers (TSPs), when will those clients know to have their TSPs start the work on their forestry plan?

**Answer:** If they do not have a Waiver, they have to wait until they have their contract obligated. This can happen anytime between January 9 and March 27.

**Comment:** There are a lot of forest landowners using their forest management plans in CAPS to serve multiple purposes including the current NRCS plan such as Tree Growth, and a lot of those clients are

working with April 1 deadlines to have plans updated. There is a major concern with getting the plans done by April 1 according to this deadline.

**Comment:** If forestland landowner applies by August 15, and wants to start work before he has a contract, he can request a waiver to commence prior to contract obligation. HOWEVER, these types of waivers, if approved, expire on 9/30 of the fiscal year in which it was approved. If work has commenced prior to 9/30 of the current fiscal year and the applicant does not have a contract, the work becomes ineligible for NRCS financial assistance. If the work has NOT commenced, then another waiver can be requested on or after the following 10/1 of the new fiscal year.

Interested landowners/operators need to sign up by AUGUST 15, 2014 to be considered for 2015 financial assistance and should plan on delaying implementation of their work until they have an obligated contract. If they need to start work ahead of time, they should wait until October 1, 2014 or later to request the waiver as no contracts will be obligated for 2015 until after December 31, 2014 (the ranking deadline) and a waiver request approved during FY 2014 will have expired on 9/30/2014.

Susan stressed to the group there needs to be better communication between landowners and the NRCS District Conservationists to get the plan completed within the timeframe required.

#### **Regional Conservation Partnership Program (RCPP) Update – Pauline Paré (see attachment RCPP document)**

The RCPP pre-proposals are due July 14 and final proposals are due September 25. The website for program funding is located at <http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/farmbill/rcpp/>. If you have any questions regarding this new program, contact Pauline Paré, Acting State Resource Conservationist at 207-990-9554 or by email [Pauline.pare@me.usda.gov](mailto:Pauline.pare@me.usda.gov).

**Question:** The Connecticut NRCS office was asked if EPA 319 money would be considered a match, but their first reaction was, “*No, this is federal money*”. NRCS in Connecticut questioned the National Office regarding this question, and the response was they were not sure at this time. Caution anyone in Maine that is assuming that you can use EPA 319 money as a match. She thinks that it will be determined that is not a match and is federal money.

**Answer:** The proposal actually states that it is not going to compete as well as local matches, but if there is a written letter from EPA stating that “yes those funds are available”, they could be noted as matched but make sure it is a match against that particular resource concern. Pauline stated she will question the National Office and wait for their response.

**Comment:** The other five New England states, plus New York are putting in a large \$20 million dollar proposal for Long Island Sound off the Connecticut River, and it is protecting long Island Sound. She was curious if anyone is aware of specific RCPP proposals brewing in Maine?

**Answer:** No.

When this occurs, the full proposal will need the State Conservationist’s letter of support. You do not need the letter for the pre-proposal.

**Conservation Innovation Grant (CIG) – “It’s Up in the Air: Micmac Heat Pump Demonstration Project” – Calvin Luther, Consultant to Emera (See attached MicMac Heat Pump power point)**

**Conservation Innovation Grant (CIG) – “Innovating the High Tunnel Initiative” – Joanna Tarrazi, Piscataquis County SWCD (see attached High Tunnel power point)**

**Question:** Would farmers be able to purchase the high tunnel wooden design on their own without going through the NRCS High Tunnel program?

**Answer:** No, not at this time, but this could change in the future. The high tunnel is only available as a kit, not a design. NRCS requires farmers to purchase kits provided by a manufacturer.

**Agricultural Management Assistance (AMA) Deer Fencing for Orchards – Susan Arrants (see attached Census of Ag document)**

Susan discussed the basic definition from the 2012 Ag Census of Agriculture of orchards. Their definition is a combined total of 20 or more fruit or nut trees, including grapevines.

Based on comments received during the STTC meeting, the definition for the purpose of AMA was changed by taking grapevines and nuts off the list of plant types and the number of trees changed to a total of 40 trees, not 20 trees. “A combined total of 40 or more fruit trees”.

**Review of Easement Ranking – Susan Arrants**

2014 Farm and Ranchland Protection Program (FRPP) and Wetland Reserve Program (WRP) ranking questions were provided and Susan asked if there were any suggestions for changing these for the 2015 delivery of the new ACEP-ALE and ACEP-WRE options. The group concurred that the 2014 questions continue to be used.

Susan reminded the STTC members that an ACEP-WRE Geographic Area Rate Cap (GARC) or alternative method for assessing easement value must be submitted to the NRCS National Headquarters for 2015. Suggestion is to rely on individual appraisals for this purpose as Maine NRCS has not received many applications in the past and does not anticipate receiving many in 2015 for this type of easement opportunity. The Area Wide Market Analysis that is used to set the GARC must be contracted and is very expensive. It will be more feasibly efficient and accurate to rely on appraisals. The group concurred that the individual appraisal method be used for 2015.

**Review of 2015 Eligible Practices/Scenarios – Susan Arrants**

The 2015 payment schedules are regionalized as they were in 2014. NRCS National Headquarters will have final early in FY 2015.

And, again, 2015 CAP rates are set nationally as they were in FY 2014. We have not yet seen the rates for CAPs.

Rates for 2015 should be similar to the 2014 rates, but we are not sure yet. The final 2015 Maine Payment Schedules will be posted online in early FY 2015.

The following agenda items were suggested for future meetings.



1. Where is NRCS with the general program delivery of workload requests in the field offices and staffing updates?
2. Requested at all STTC meeting that each partner give a quick update of their organization in relation to the State Technical Committee.

**Cathee Pullman, Acting State Conservationist closed the meeting and asked the group if they had any ideas or concerns for the next STTC meeting discussions to send them to [Chris.Jones@me.usda.gov](mailto:Chris.Jones@me.usda.gov).**